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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney Docket No. AM100249)

In re Application of:) Appln. No.: 10/039,383
) Confirmation No.: 3951
HSIEN-JUE CHU *et al.*) Customer No.: 25291
) Group Art Unit: 1645
Filed: December 17, 2001 via 37 C.F.R. § 1.10) Examiner: S. Devi
January 8, 2002 per date of receipt)
)
For: IMPROVED MYCOPLASMA)
HYOPNEUMONIAE BACTERIN VACCINE)

MS Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Dear Sir:

Transmitted herewith in the above-referenced patent application is a Renewed Petition To Correct Filing Date Under 37 C.F.R. § 1.10(d) with attachments.

The Commissioner is hereby authorized to charge the petition fee of \$130.00 and any additional fees, or credit overpayment, to Deposit Account No. 01-1300. A duplicate copy of this letter is provided for billing purposes.

Respectfully submitted,

WYETH

Date: August 4, 2003

By: Anne M. Rosenblum
Anne M. Rosenblum
Attorney for Applicants
Registration No. 30,419

FILING BY EXPRESS MAIL UNDER 37 C.F.R. § 1.10

This correspondence is being deposited with the U.S. Postal Service on August 4, 2003 to be delivered by the "Express Mail Post Office to Addressee" service under Mailing Label Number EU730354522US addressed to: MS Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Anne M. Rosenblum
Anne M. Rosenblum

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AUG 07 2003



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MS Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RENEWED PETITION TO CORRECT FILING DATE UNDER 37 C.F.R. § 1.10(d)

Dear Sir:

Applicants respectfully request reconsideration of the Petition filed on May 13, 2003 in the above-referenced application. Pursuant to 37 C.F.R. § 1.10(d), Applicants ask that the application be granted a filing date of December 17, 2001 and the Assignment (recorded on Reel/Frame Nos. 012484/0243) be given a recordation date of December 17, 2001.

The original Petition of May 13, 2003 was inappropriately treated under 37 C.F.R. § 1.10(c). Since relief is being based upon the statutory provisions of 37 C.F.R. § 1.10(d), it is clear that a true copy of the Express Mail mailing label indicating the "date-in" or other official notation by the USPS relied upon to show the date of deposit is not required for approval of Applicants' Petition. Thus, reconsideration is necessary for proper treatment of the Petition under 37 C.F.R. § 1.10(d).

Relief is pursued under 37 C.F.R. § 1.10(d) since the Express Mailing label in question cannot be found for direct proof of deposit on December 17, 2001. Acting on advise kindly given by Mr. Robert Clarke and Ms. Eugena Jones in the Office of Patent Legal Administration and the guidelines in the M.P.E.P., the undersigned attorney researched the facts, drafted the Petition and provided sufficient corroborating evidence in compliance with 37 C.F.R. § 1.10(d). Without question, the statutory provisions have been satisfied.

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ANNE M. ROSENBLUM ATTORNEY AT LAW
163 DELAWARE AVENUE - SUITE 212 • DELMAR, NEW YORK 12054 • TELEPHONE: (518) 475-0611

OFFICE OF PETITIONS

Examining each element of the specific rule and the facts, Applicants have met their burden of proof as follows:

37 C.F.R. § 1.10(d): Applicants, who have shown that the "date-in" on the "Express Mail" mailing label or other official notation entered by the USPS was omitted by the USPS, may petition the Commissioner to accord the correspondence a filing date as of the date the correspondence is shown to have been deposited with the USPS.

The facts clearly establish that it was the fault of the USPS to omit the official notation or to record the Express Mailing label despite Applicants' due care. The mishandling of this application was not an isolated case. Several packages were mailed to the U.S. Patent and Trademark Office via Express Mail from three attorneys, using three different secretaries, on December 17, 2001. Yet, each submission had been given the actual date of receipt instead of the USPS "date-in" entry. The USPS has no record of any these Express Mailing label numbers. None of these packages were charged to the "Express Mail" Corporate Account or for any postage whatsoever. These were mostly heavy packages; there would have been some record of their postage even if it had inadvertently been charged as First Class Mail but no postage fees were charged to the company at all, in any of these cases. The only conclusion that can be drawn from so many Express Mail packages not receiving the "date-in" entry and not being entered into the computer system is that the USPS had mishandled the Express Mail packages. There is no other reasonable explanation.

Moreover, corporate policy mandated that Express Mail be used on all correspondence to the U.S. Patent and Trademark Office and Ms. Terry Mancuso, the current secretary of Patent Counsel Barbara Renda, substantiated that she is aware of that policy and usually takes Express Mail packages to the corporate mailroom early in the morning, well before the 3:00 p.m. deadline. Thus, it is logical to conclude that Express Mail had been used for the application within the ordinary course of business and that the application was deposited as Express Mail prior to the last scheduled pickup on the filing date of December 17, 2001.

In December of 2001, unfortunately due to anthrax contamination, all of the Express Mail being sent through Washington's main mail-processing facility, Brentwood, had to be sterilized and delivery of Express Mail packages to the U.S. Patent and Trademark Office was significantly

delayed (see attached letter to Patent Practitioner dated January 16, 2002 in which backlogged mail is acknowledged and a copy of the pertinent portion of the OG Notice of April 22, 2003 in which it is recognized that the Office has still been experiencing delays and other problems with correspondence routed through the USPS facility at Brentwood). Also, the Postmaster of the New Jersey district, where the deposit of the application (and two other pieces of correspondence that are the subject of a separate Petition under 37 C.F.R. § 1.10(d)) had originated, stated that "it should be understood that during the period of time in which the pieces were sent, the destination zip code (US Patent Office) was greatly impacted by the Anthrax situation that occurred" and "it is not unlikely that these pieces were adversely affected and were delayed in being received" (see "Exhibit E" attached to the petition of May 13, 2003).

In addition, upon the mail's return from the sterilizing process, the USPS was delivering the decontaminated mail to the Federal agencies without scanning for several months. Staff at the D.C. Post Office facility handling the Office mail indicated to the undersigned attorney that they did not resume scanning Express Mailing labels to indicate date of receipt in their facility or delivery to the addressee in the computer records until February of 2002. It is presumed that the Office must have been aware from public knowledge and local news reports that the D.C. Post Office was not functioning normally while the USPS was operating outside of their usual Post Office buildings during fumigations, without their standard equipment for scanning in-coming mail (see, for example, the attached CNN.com reports for continuing problems with anthrax that could have adversely affected normal mail processing systems to Federal agencies). Delivery of the Express Mail package for the filing of the application was substantially delayed and there is a reasonable explanation for why there was no computer record of the receipt in D.C. as Express Mail on December 18, 2001. In sum, the USPS failed to enter the "date-in" on the "Express Mail" mailing label or other official notation at the starting point in New Jersey and/or the delivery facility in Washington, D.C. to Applicants' detriment. Thus, Applicants have the right to petition under this statute.

37 C.F.R. § 1.10(d)(1): The Petition of May 13, 2003 was filed promptly after Applicants became aware that the Office had accorded a filing date based upon an incorrect entry by the USPS, that is, the filing date was based upon an omission by the USPS.

As soon as Applicants became aware that the filing date was incorrect, a Request for Corrected Filing Receipt was diligently filed in the Office on October 25, 2002. Shortly thereafter, it was determined that the Express Mailing label could not be found and a further, in-depth investigation ensued until it was sufficiently clear that the filing date had been based upon the mishandling of several Express Mail packages by the USPS on the date of deposit (December 17, 2001) and the guaranteed date of receipt (December 18, 2001) through no fault of Applicants.

37 C.F.R. § 1.10(d)(2): The number of the "Express Mail" mailing label was properly placed on the papers that constitute the correspondence prior to the original mailing by "Express Mail," that is, the transmittal form for filing the application and submitting the Assignment to the Office for recordation (see "Exhibit A" attached to the petition of May 13, 2003).

37 C.F.R. § 1.10(d)(3): The Petition included a showing that the requested filing date was the date the correspondence was deposited in the "Express Mail Post Office to Addressee" service prior to the last scheduled pickup for December 17, 2001. The showing was further corroborated by evidence that came into being after deposit and within one business day of the deposit of the correspondence in the "Express Mail Post Office to Addressee" service of the USPS.

The Affidavit of Terry Mancuso, the current secretary of Patent Counsel Barbara Renda, substantiated that, as a general rule based on Ms. Renda's direction, she takes Express Mail packages to the corporate mailroom early in the morning, well before the 3:00 p.m. deadline. Thereafter, on the same day as mailing the package, she promptly enters the item and the Express Mailing label number into the computer Postcard Log. The affidavit contains a true copy of Ms. Renda's Postcard Log showing the entry that this application under Attorney Docket No. AM100249 was sent to the U.S. Patent and Trademark Office under Express Mailing Label Number EL 783017014 US on December 17, 2001. In view of Ms. Mancuso's usual business habits and the copy of the Postcard Log, it is more likely than not that the written file record had been made by the prior secretary immediately after the patent application was brought to the corporate mailroom in timely fashion on December 17, 2001, thus corroborating and establishing a sufficient showing that the application and the accompanying papers were deposited as Express Mail prior to the last scheduled pickup for December 17, 2001.

It is submitted that the clear and convincing evidence proves the substantial likelihood that the application (and the Assignment) had been deposited with the USPS as Express Mail on December 17, 2001, that the omission of the "date in" was the fault of the USPS and that Applicants took reasonable care in the ordinary course of business to ensure that the filing of the application complied with the statute governing Express Mail. In all fairness, the intent of the statutory provisions of 37 C.F.R. § 1.10(d) is to provide relief to Applicants, who despite due diligence, do not possess the actual "date-in" receipt. Denial of the filing date of December 17, 2001 creates an undue hardship and a harsh result in that the nonprovisional application will not be able to enjoy the priority from the earliest filed provisional application. Thus, Applicants pray that this petition be reconsidered in a favorable light and granted.

Respectfully submitted,

WYETH

Date: August 4, 2003

By: Anne M. Rosenblum
Anne M. Rosenblum
Attorney for Applicants
Registration No. 30,419

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Anne M. Rosenblum
Anne M. Rosenblum



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

Dear Patent Practitioner,

The USPTO and the patent community have experienced considerable difficulties since mid-October 2001 due to delays in the delivery of mail by the US Postal Service. I want to assure you that the USPTO is making every effort to deal with this situation in ways that avoid any undue burden upon applicants. Over the last few weeks we have seen an increase in the volume of backlogged mail being delivered and we are working very hard to process this mail as quickly as possible. I ask that you bear with us during this challenge and work with us to the extent possible to minimize the impact of these mail delays.

Unfortunately the decontamination process has damaged some of the mail recently delivered to the USPTO. For example, some patent application papers and drawings including photographs have been stuck together and cannot be separated. Some computer discs have been damaged. Some labels have been blackened so that the text on them cannot be read and some papers have been yellowed and are brittle. The amount of damaged mail is small, about 5%, and the senders are being contacted to supply a duplicate when necessary. Additionally, no application is being held abandoned without us first calling the applicant to ensure that a reply has not been delayed in the mail.

I also understand that there has also been some concern from practitioners that outgoing mail from the Office may have been delayed in some instances. Currently, the USPTO is requesting that applicants follow the procedure set forth in Manual of Patent Examining Procedure (MPEP) 710.06 to establish a delay in receipt of mail if they want to request that the period for reply be reset.

Please consult the USPTO Internet web site (<http://www.uspto.gov>) for updated information on Technology Center facsimile numbers, surface mail alternatives, and other announcements concerning mail delays. Some notices related to the mail delays that have been recently posted on the USPTO web site are listed on the attached table. Section 511 of the MPEP will be revised to state that in the event of a postal emergency an announcement will be placed on the USPTO web site. Note also that the entry of a paper into an application file can be confirmed by checking the PAIR system via our Electronic Business Center on our web site.

Questions related to mail difficulties should be directed to the Office of Patent Legal Administration, by telephone at (703) 308-6906. Alternatively, the questions may be sent via e-mail to PatentPractice@uspto.gov.

Thank you for your continued cooperation as we deal with this difficult situation.

1/14/02
Date

Nicholas P. Godici
NICHOLAS P. GODICI
Commissioner for Patents

Enclosure: Table of Recent Notices

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Table of Recent Notices on the USPTO Internet Web Site

<u>TITLE</u>	<u>Date</u>	<u>OG CITE</u>	<u>OG DATE</u>
Processing of, and Requirements for, the Filing of Duplicate Applications and Papers in Patent Applications in view of USPS Mail Delays	12/20/01	1254 OG 92	1/15/02
Closing of the United States Patent and Trademark Office on Monday, December 24, 2001	12/13/01	1254 OG 61	1/8/02
Notice Concerning Deposit Account Replenishments	12/11/01		
Termination of the Suspension of the "Express Mail" Service of USPS for mail addressed to ZIP Codes 202xx through 205xx	12/5/01	1254 OG 33	1/1/02
Suspension of the "Express Mail" Service of United States Postal Service for mail addressed to ZIP codes 202xx though 205xx	11/20/01	1254 OG 33	1/1/02
Suspension of the "Express Mail" Service of United States Postal Service	11/20/01	1253 OG 103	12/25/01
Mitigation of Delays in Mail Deliveries to the USPTO	11/9/01		
USPTO Tests Negative for Anthrax	11/5/01		
Patent Customers Advised to FAX Communications to USPTO	11/2/01		
United States Postal Service Interruptions and Emergency Terminated	10/26/01	1252 OG 104	11/20/01
Notice Concerning Safety of USPTO Mailings - Update	10/25/01		
Notice Concerning Safety of USPTO Mailings	10/23/01	1252 OG 19	11/6/01

Note: Where an Official Gazette cite or Official Gazette date field is blank in the table above, the notice has not yet been published in the Official Gazette.

The above list was excerpted from the list of patent-related notices that is posted on the USPTO Internet web site at: <http://www.uspto.gov/web/offices/pac/dapp/ogsheet.html>.

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United States Patent and Trademark Office OG Notices: 22 April 2003

DEPARTMENT OF COMMERCE

**United States Patent and Trademark Office
37 CFR Parts 1, 2, 3, 4, 5, 102, 104, and 150
[Docket No.: 2003-P-011]**

Correspondence with the United States Patent and Trademark Office

AGENCY: United States Patent and Trademark Office,
Commerce.

ACTION: Final rule; Nomenclature change.

SUMMARY: The United States Patent and Trademark Office (Office) is revising the rules of practice to change the address for certain correspondence with the Office. The Office is preparing to move to Alexandria, Virginia. The Office is changing certain correspondence addresses so that all correspondence with the Office will now be routed through a United States Postal Service (USPS) facility that is more conveniently located to the Office. In addition, the Office is also changing the titles of Office officials as set forth in the rules of practice for consistency with the titles provided in the American Inventors Protection Act of 1999.

EFFECTIVE DATE: The changes in this final rule are effective May 1, 2003.

FOR FURTHER INFORMATION CONTACT: Damell M. Jayne,
Legal Advisor, Office of Patent Legal Administration, by telephone at (703) 308-6906, or by facsimile at (703) 746-3580.

SUPPLEMENTARY INFORMATION: The Office changed the address for trademark-related correspondence in December of 1996. See Communications with the Patent and Trademark Office, 61 FR 56439 (Nov. 1, 1996), 1192 Off. Gaz. Pat. Office 95 (Nov. 26, 1996) (final rule). With this change, trademark-related correspondence with the Office was routed through a USPS facility in Virginia, and most other correspondence with the Office was routed through a USPS facility in the District of Columbia. The Office is currently in the process of moving its principal office from Arlington, Virginia to Alexandria, Virginia. Since a USPS facility in Virginia is more conveniently located to the site of the Office's future principal office in Alexandria, Virginia, the Office is changing its correspondence addresses (other than for trademark-related correspondence) so that all correspondence with the Office will now be routed through a USPS facility in Virginia. In addition, selection of a USPS facility in Virginia as the new correspondence address is appropriate because the Office maintains and will continue to maintain its principal office in Northern Virginia.

General Mailing Addresses: The Office's three separate general mailing addresses are now as follows: (1) For correspondence processed by the organizations reporting to the Commissioner for Patents: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450; (2) For correspondence processed by the organizations reporting to the Commissioner for Trademarks or the Trademark Trial and Appeal Board: Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513; and (3) For other correspondence (including patent and trademark documents sent to the Assignment Division for recordation and requests for certified or uncertified copies of patent or trademark documents): Director of the United States Patent and Trademark Office, PO Box 1450, Alexandria, Virginia 22313-1450.

The above addresses are the Office's three general mailing addresses. The Office has separate mailing addresses for certain

correspondence: e.g., (1) Certain court-related correspondence (e.g., a summons and complaint) being delivered to the Office via the USPS must be addressed: General Counsel, United States Patent and Trademark Office, PO Box 15667, Arlington, Virginia 22215 (104.2); (2) correspondence directed to the counsel for the Office of Enrollment and Discipline (OED) Director relating to disciplinary proceedings pending before an Administrative Law Judge or the Director must be addressed: Office of the Solicitor, PO Box 16116, Arlington, Virginia 22215; (3) payments of maintenance fees in patents being delivered to the Office via the USPS should be addressed: United States Patent and Trademark Office, PO Box 371611, Pittsburgh, Pennsylvania 15250-1611; and (4) a deposit account replenishment being delivered to the Office via the USPS should be addressed: Director of the United States Patent and Trademark Office, PO Box 70541, Chicago, Illinois 60673. Persons filing correspondence with the Office should check the rules of practice, the Official Gazette, or the Office's Internet Web site (<http://www.uspto.gov>) to determine the appropriate mailing address for such correspondence.

* The Office appreciates that it will take some period of time before all persons filing correspondence with the Office become accustomed to these address changes. The Office plans to arrange for continued delivery of correspondence addressed to the Office's former Washington, DC 20231 address as a courtesy for a limited period of time. The Office, however, has been experiencing delays and other problems with correspondence routed through the USPS facility at Brentwood. See Processing of, and Requirements for, the Filing of Duplicate Applications and Papers in Patent Applications in view of USPS Mail Delays, 1254 Off. Gaz. Pat. Office 92 (Jan. 15, 2002). Any correspondence addressed to the Office's former Washington, DC 20231 address that is delivered to the Office will still be subject to the delays and other problems associated with correspondence that is routed through the USPS facility at Brentwood.



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Officials grapple over scope of anthrax exposures

WASHINGTON (CNN) -- After burying one Washington-area postal worker and revisiting the recent death of one based in New York, law enforcement and health officials on Saturday continued to grapple with the full scope of recent anthrax discoveries, exposures and infections.

Hundreds of people, including Washington, D.C., Mayor Anthony Williams, turned out Saturday to mourn Joseph Curseen Jr., a 15-year veteran of the postal service and one of two D.C.-area postal workers to die from inhalation anthrax. ([Full story](#))

Besides Curseen, 47, and Thomas Morris, 55, who was buried Friday, two other D.C.-area postal workers and a State Department mail facility employee have also contracted the inhaled form of anthrax. A Florida tabloid photo editor, Robert Stevens, died from this ailment earlier this month, and his colleague, Ernesto Blanco, was released from this hospital this week after extensive treatment.

Several hundred miles away, two New Jersey postal workers with suspected cases of inhalation anthrax appeared to be improving on Saturday, according to state epidemiologist Eddy Bresnitz. ([Full story](#))

Many of the sicknesses and deaths have been linked to anthrax-tainted letters sent from Trenton, New Jersey, to Senate Majority Leader Tom Daschle, NBC News anchor Tom Brokaw and the New York Post.

Latest developments

- Washington health officials have switched to doxycycline as the antibiotic of choice for combating anthrax infection. Authorities initially prescribed ciprofloxacin, manufactured under the name Cipro. CDC sources say they want to achieve a better balance in the types of antibiotics used. Using a single antibiotic for extended periods of time can increase the likelihood of antibiotic resistance. Also, doxycycline is cheaper than Cipro and more plentiful. ([Full story](#))

- U.S. officials say that the Daschle letter likely contaminated some Washington-area mail facilities, although the discovery of anthrax spores at the State Department led investigators to a new "working hypothesis," sources tell CNN.

"We are exploring cross-contamination or another piece of mail," Capitol Police Lt. Dan Nichols said.

Cross-contamination alone could not be making people as sick as they are, Centers for Disease Control and Prevention sources said, and the State Department employee did not visit Daschle's office or Washington's main mail-processing facility, Brentwood.

•Investigators have not ruled out any possible source of anthrax, a Bush administration official said Saturday. The comments came in response to a Washington Post report saying that U.S. officials now believe the anthrax attacks came from a domestic source and were not connected to the al Qaeda terrorist network. ([Full story](#))

•The New York Medical Examiner's office decided to re-evaluate the death of a postal worker earlier this month as a "precautionary measure," looking to see if it was anthrax-related.

Anthrax cultures were discovered in four mail-sorting machines inside Manhattan's largest mail-distribution center. The worker, Laura Jones, died on October 10 of what was then deemed natural causes.

•Mailroom workers in "several thousand" Washington businesses have been asked to come in for tests to determine if they have been exposed to the anthrax bacteria, Washington's chief health officer, Dr. Ivan Walks, told CNN Saturday. Walks said that more than 10,000 people been tested, and the number "will get profoundly larger."

•An attorney for the New York Metro Postal Union formally notified the country's top postal official Friday that the U.S. Postal Service is to be sued unless it closes a Manhattan mailing facility where anthrax was found. The attorney also filed notices with the Environmental Protection Agency, the U.S. attorney general and the New York Department of Environmental Conservation. ([Full story](#))

•The main post office in Princeton, New Jersey, was closed Friday night after one colony of anthrax -- deemed clinically insignificant -- grew from a swab taken on a mail container called a flat tub. The tub was likely contaminated at the Hamilton mail-processing facility near Trenton, from which the container came and through which the Daschle, Brokaw and New York Post letters passed.

•In Washington, the Brentwood mail facility remained closed Saturday and a second facility, Southwest Post Office on L Street, was closed Friday after anthrax spores were found on a mail bin.

•On Capitol Hill, investigators found three anthrax hot spots in the Longworth House Office Building, government sources told CNN Friday. One source described the findings as "small trace amounts" while another called the results "definitive." The bacteria were found along the mail delivery route in the building. ([Full story](#))

Find this article at:

<http://www.cnn.com/2001/HEALTH/conditions/10/27/anthrax/index.html>

☐ Check the box to include the list of links referenced in the article.



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Fumigation largely succeeding in clearing anthrax

WASHINGTON (CNN) --The heavily contaminated Hart Senate Office Building is closer to being cleared of its anthrax infestation, environmental officials said Friday. They said a chlorine dioxide cleansing has significantly reduced the presence of potentially deadly bacteria spores.

A fumigation treatment of Senate Majority Leader Tom Daschle's suite of offices -- where a contaminated letter was opened nearly two months ago, the first salvo in an anthrax attack in Washington -- was very successful, said Rich Rupert of the Environmental Protection Agency.

"On our confirmation sampling, out of 380 samples, less than 10 came back positive, all pretty much in one area that was always one of the hot areas," Rupert said. "And those came back in what I can only describe as trace amounts."

Rupert said the same chlorine dioxide treatment will be used on the building's heating, ventilation and air conditioning system (HVAC), where spores had been found after the letter was opened in Daschle's office.

The contaminated HVAC system covers only the southeast quadrant of the building -- about 13 Senate offices.

Capitol Hill Police spokesman Lt. Dan Nichols said treatment will begin on the HVAC system Friday night, and some streets around the building will be closed to facilitate the procedure, which is expected to take about 24 hours.

Decontamination of another 11 offices in the Senate Hart building where anthrax traces were found are "essentially complete," according to Rupert. Antibacterial foam and chlorine dioxide gel were used to clean those offices.

Nichols also said the cleaning of the four offices in the Longworth House Office Building are complete and will be "fully functional" next week.

Nichols said officials will not rush the clean-up job, but Daschle told reporters earlier in the day he hopes the building will reopen the beginning of next month.

"We're going to be guided by public safety as we have been all along," said Nichols.

Some of the 50 senators and their staff who have offices in Hart have expressed trepidation about going back into the building, questioning whether authorities would ever be sure it was anthrax-free.

Nichols said cleanup crews will do environmental sampling in every office before the building will be reoccupied.

Cleanup crews will use liquid chlorine dioxide to clean the nine areas of Daschle's office where fumigation did not kill the anthrax.

The office will get new carpets and equipment before staff returns to work there. Some artifacts from Daschle's office have been taken to a decontamination facility in Richmond, Virginia, where sensitive objects like papers and artwork can be cleaned.

The buildings were shut down after anthrax spores were found, mostly around mailrooms, in October. The anthrax contamination was traced through other mailrooms and eventually back to Washington's Brentwood processing facility, where two employees contracted the inhalation variety of the disease and died.

The letter sent to Daschle was postmarked at a Trenton, New Jersey, processing facility, as were similar letters sent to the New York Post, Sen. Patrick Leahy and NBC News anchor Tom Brokaw. Anthrax infections were found in postal facilities in several states.

Overall, five people have died of inhalation anthrax and six others have survived a bout with the disease. Seven other people contracted cutaneous (skin) anthrax.

Investigators have so far been unsuccessful at tracing the origin of the anthrax.

Find this article at:

<http://www.cnn.com/2001/US/12/14/anthrax.fumigation/index.html>

☐ Check the box to include the list of links referenced in the article.



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After delay, fumigation of Hart building begins

WASHINGTON (CNN) -- Workers began their latest fumigation of the Hart Senate Office Building late Sunday afternoon, hoping to solve an anthrax problem House Minority Leader Richard Gephardt deemed "more serious than any of us thought."

The clean-up of the building's heating, ventilation and air-conditioning systems had been delayed two days by technical difficulties, and should be completed by 4 a.m. EST Monday, officials said.

The building has been closed since October 17, when aides to Senate Majority Leader Tom Daschle open an anthrax-letter in his office. Several other congressional office buildings also showed evidence of anthrax contamination and had to fumigated.

Experts had been unable until Sunday to raise the humidity inside the Hart building to 75 percent, the level needed for fumigation, said Richard Rupert, who is coordinating the effort for the Environmental Protection Agency.

"We've been madly working 24 hours a day," Rupert said.

Chlorine dioxide gas will be pumped through the structure's heating, ventilation and AC systems for about nine hours, he said. Workers will spend another four hours removing the gas from the system.

A similar process had been conducted on December 1, the day after authorities had sealed off Daschle's suite. Rupert called that clean-up successful, though traces of anthrax were later detected.

"I'm told by the experts that it's going to take a long time to make sure that all the spores are out of the building," Gephardt said Sunday. "And even when they're at that point, there'll still be the possibility of spores being left behind."

Experts "don't think that's dangerous, but this certainly has been a tougher decontamination job than anybody expected," Gephardt said.

In about a week, tests will determine whether all the anthrax has been eradicated from the Hart building, Rupert said.

The anthrax cleanup at the Longworth House Office Building has been completed, but it will take about a week to renovate the offices to make the sure the building is habitable, said Capitol Hill police said. Several offices in the Ford House Office Building also remain closed.



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D.C. postal anthrax contamination worse than first thought

WASHINGTON (CNN) --A postal facility in the nation's capital that handled mail laced with anthrax was "terribly contaminated" with the deadly bacteria, even worse than authorities first believed, federal health officials said Thursday.

The extent of the contamination at the Brentwood postal facility was determined by additional tests at the now-closed site after four workers there developed inhalation anthrax. Two of them died.

"The contamination was even more widespread than had initially been thought to be the case," said Dr. Rosemary Sokas, associated director of science at the National Institute of Occupational Safety and Health at the Centers for Disease Control and Prevention.

She said the anthrax spores had spread further within the building than expected and that the "intensity" of the contamination was stronger as well.

Authorities believe the anthrax spores spread throughout the building with the use of a compressed air machine that had been used to clean equipment.

The Postal Service has since stopped using such cleaning equipment.

Authorities have found two tainted letters that passed through the Brentwood facility: one sent to Senate Majority Leader Tom Daschle and another sent to Sen. Patrick Leahy, D-Vt.

The Daschle letter was opened in his office in October, but the Leahy letter was found by authorities in a barrel of quarantined mail and opened in a military lab.

Find this article at:

<http://www.cnn.com/2001/US/12/21/gen.anthrax.contamination>

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